

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 8, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 1, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **SPECIAL PRESENTATIONS:**
 - A. Presentation of the Commissioners Award of Excellence to Shawn Oglesby, Juvenile Detention Officer, Youth Services Center, for January, 2005.
- 3) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.)
- 4) **CLAIMS FOR REVIEW:**
 - A. Payment Voucher 782-6985, dated December 13, 2004 - Families First and Foremost has requested payment to Visinet, Inc., in the amount of \$601.01 for services provided during May, 2003. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).
 - B. Payment Voucher 782-6922, dated December 6, 2004 - Families First and Foremost has requested payment to Cedars Youth Services, in the amount of \$588 for services provided during June, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).
 - C. Payment Voucher dated January 3, 2005 - Families First and Foremost has requested payment to BryanLGH Medical Center, in the amount of \$2,745, for services provided during June, 2004. The claim is beyond the 90 day time period (see Neb. Rev. Stat. §23-135).
- 5) **CLAIMS:** Approval of all claims processed through Tuesday, February 8, 2005.

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL
CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER ITEM,
PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY
ACCOMMODATE YOUR NEEDS.**

6) **PUBLIC HEARINGS:**

- A. Continuation of a public hearing regarding an application for Corporate Manager for Benjamin M. Lynch in connection with a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license for Lee Ann, Inc. d/b/a Merle's Food & Drink, located at 8250 West "O" Street, Lincoln, Lancaster County, Nebraska. (See New Business Item 7A for correlating resolution.)
- B. Revisions to the Lancaster County General Assistance Guidelines. (A copy of the proposed revisions is on file in the Lancaster County Clerk's Office.)
- C. County Special Permit 04047, North Branched Oak Estates Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, for nine residential acreage units and associated waiver requests, on property generally located southwest of the intersection of Northwest 84th Street and West Rock Creek Road in Lancaster County, Nebraska. (See New Business Item 7B for correlating resolution.)
- D. County Preliminary Plat 04021, North Branched Oak Estates, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, for nine residential acreage lots and associated waiver requests, on property generally located southwest of the intersection of Northwest 84th Street and West Rock Creek Road in Lancaster County, Nebraska. (See New Business Item 7C for correlating resolution.)

7) **NEW BUSINESS:**

- A. A resolution in the matter of an application for Corporate Manager for Benjamin M. Lynch in connection with a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license for Lee Ann, Inc. d/b/a Merle's Food & Drink, located at 8250 West "O" Street, Lincoln, Lancaster County, Nebraska. (R-05-0015)
- B. A resolution in the matter of County Special Permit 04047, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, to create nine residential acreage units, on property generally located southwest of the intersection of Northwest 84th Street and West Rock Creek Road in Lancaster County, Nebraska. (R-05-0013)
- C. A resolution in the matter of County Preliminary Plat 04021, North Branched Oak Estates, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, for nine residential acreage lots on property generally located southwest of the intersection of Northwest 84th Street and West Rock Creek Road in Lancaster County, Nebraska. (R-05-0014)

7) **NEW BUSINESS CONTINUED:**

- D. An application for a special events permit from Midwest Wheel Events to hold a bicycle race on Saturday, April 16, 2005 from 9 a.m. to 12 p.m. and from 3 p.m. to 5 p.m. around Branched Oak Lake. The race will begin at Lieber's Point and proceed clockwise around the lake on Northwest 140th Street, West Davey Road, Northwest 98th Street and West Raymond Road and end at Lieber's Point.
- E. Signature amendments for Wells Fargo authorizing Larry Hudkins, as the County Board Chair to sign on behalf of the County for transactions on both of its accounts with the bank. The amendment also deletes Ray Stevens as an authorized signer for the accounts. (C-05-0064 and C-05-0065)
- F. Letter agreement with Dana Cole and Company, L.L.C. for audit services at the Lancaster County Sheriff's Office. The County will pay up to \$6,000 for the services. (C-05-0066)
- G. An interlocal agreement with the City of Lincoln and United Way of Lincoln to jointly provide funding for a contract with the Public Policy Center for implementation of the Community-Based Human Services Needs Assessment. The City of Lincoln and Lancaster County shall each pay \$15,833 and the United Way of Lincoln shall pay \$15,834, for a total contract cost of \$47,500. The term of the agreement is July 1, 2004 to December 31, 2004. (C-05-0067)
- H. An agreement with the Lancaster County Medical Society (LCMS) to enroll qualified Lancaster County General Assistance clients in national pharmaceutical discount programs. Term of the agreement is September 1, 2004 through June 30, 2005. The County will reimburse LCMS based upon the established rates for each program. (C-05-0068)
- I. A grant contract with Southeast Community College for the "Language for the World of Work" series which teaches English as a second language course to 100 refugee participants, in the amount of \$36,880. Term of the grant contract is October 1, 2004 through September 30, 2005. (C-05-0069)
- J. Utility Relocation Agreement, Project No. C55-P-407(2), Old Cheney Road, South 148th Street to South 190th Street, between the County of Lancaster and the Lancaster Rural Water District No. 1 of Bennet, Nebraska. The total amount of the project is estimated at \$94,800, of which \$82,125 is estimated to be the share of the cost chargeable to the County. (C-05-0070)
- K. Utility Relocation Agreement, Project No. C55-P-427(1), Rokeby Road, South 56th Street to South 70th Street, between the County of Lancaster and the Norris Public Power District of Beatrice, Nebraska. The total amount of the project is estimated at \$101,333.81, of which \$54,858.24 is estimated to be the share of the cost chargeable to the County. (C-05-0071)

7) **NEW BUSINESS CONTINUED:**

- L. Utility Relocation Agreement, Project No. C55-P-427(1), Rokeby Road, South 56th Street to South 70th Street, between the County of Lancaster and the Lancaster Rural Water District No. 1 of Bennet, Nebraska. The total amount of the project is estimated at \$30,250, of which \$13,650 is estimated to be the share of the cost chargeable to the County. (C-05-0072)
- M. Kodak Equipment Maintenance Agreement for the Kodak 9610 Archive Writer utilized by Lancaster County Records Management for a one year term, effective September 1, 2004. The County will pay \$5,203 for the services. (C-05-0084)
- N. Approval of Unit Price Contracts for miscellaneous carpet cleaning services with the following:
- X-TRA-Kleen, Inc. (C-05-0085)
 - CleanMax - Lincoln Janitorial Services (C-05-0086)
 - The Cleaning Outlet Inc. (C-05-0087)
- O. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to the following payees:
- Don McKinney, Inc., in the amount of \$60,678, for the vehicle storage building for the Lancaster County Sheriff's Office.
 - Sinclair Hille Architects, in the amount of \$720, for architectural services for the Lancaster County Sheriff's vehicle garage.
 - Cheever Construction, in the amount of \$70,995.60, for payment on the rehabilitation of the old Attention Center for the CenterPointe Project.

Total payment request is \$132,393.60.

- P. Setting the salary of Eric Miller at \$58,000 as an attorney in the Lancaster County Attorney's Office, effective February 8, 2005.
- Q. Recommendations from the Keno Human Services Fund Advisory Board to award grants for Fiscal Year 2004/2005 to the following agencies from the Keno Prevention Fund:

Continuation Grants

Lincoln Literacy Council, in the amount of \$1,000

Lincoln Sports Foundation, in the amount of \$3,000

Nebraska Council on Compulsive Gambling (2 proposals), in the amount of \$4,375

Saint Elizabeth's Foundation - COPED, in the amount of \$950

7) **NEW BUSINESS CONTINUED:**

New Grants

Nebraska Council on Compulsive Gambling, in the amount of \$6,025

Asian Community and Cultural Center, in the amount of \$3,890

Bright Lights, Inc., in the amount of \$1,610

CASA for Lancaster County, in the amount of \$6,250

CenterPointe, Inc., in the amount of \$3,750

Heartland Big Brothers Big Sisters, in the amount of \$7,500

Lincoln Housing Charities, in the amount of \$2,000

Lincoln Sports Foundation, in the amount of \$3,000

People's City Mission, in the amount of \$4,000

St. Monica's Behavioral Health Services for Women, in the amount of \$5,000

Sunrise Communications Inc. - KZUM 89.3 FM, in the amount of \$3,750

YWCA of Lincoln, in the amount of \$2,500

Total amount allocated is \$58,600.

R. Political subdivision tort claim filed against Corrections by Bud King for lost property in the amount of \$7.70.

8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1) County Clerk's Monthly Report for January, 2005.

2) Lancaster Manor's Monthly Report.

3) Financial Statements and Supplementary Information for the year ended September 30, 2004 for the City of Hickman.

4) Assessor/Registrar of Deeds monthly report for January, 2005.

B. Setting of the following public hearings for Tuesday, February 22, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building.

1) County Final Plat 04134, Masek's 1st Addition, requested by Brian D. Carstens and Associates on behalf of 3801 Harney, L.L.C., consisting of nine lots on 101.22 acres, more or less, on property generally located southeast of the intersection of Northwest 27th Street and West Mill Road in Lancaster County, Nebraska.

8) **CONSENT ITEMS CONTINUED:**

- 2) Adoption of a resolution to impose an additional sales tax of not to exceed two percent following the establishment of a County Visitors' Improvement Fund, pursuant to Neb. Rev. Stat. §81-1254(2) (Supp.2003).

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:

- Elmer and Beverly Melichar, in the amount of \$13,375, at 70th and West "O" Street. This is for the purchase of a stockpile site around Middle Creek and Highway 6. (C-05-0073)
- Clifford and Jacqueline Wolfe, in the amount of \$83.80, 1,245 feet west of North 84th Street on Mill Road; Project No. C.P.G-235. (C-05-0074)
- James Mitchell, in the amount of \$323, 1749 feet west of Northwest 112th Street on West Little Salt Road; Project No. C.P.D-197. (C-05-0075)
- Doris and Steve Fosbender, in the amount of \$64, 1304 feet south of Firth Road on South 96th Street; Project No. C.P.X-105. (C-05-0076)
- Shirley Bevans, in the amount of \$100, 3929 feet north and 690 feet northeast of Waverly Road on North 148th Street; Project No. C.P.H-123. (C-05-0077)
- Robert and Cindy Arias, in the amount of \$890, ½ mile east of North 1st Street and Agnew Road; Project No. C.P.C-136. (C-05-0078)
- Dale and Mabel Cheney, 239 feet north of Saltillo Road on South 148th Street; Project No. C.P.Q-168. This is a land donation. (C-05-0079)
- Vera Halling, 1350 feet north of Davey Road on North 70th Street; Project No. C.P.B-35. This is a land donation. (C-05-0080)
- B & B Grain Corporation, 3929 feet north and 690 feet northeast of Waverly Road on North 148th Street; Project No. C.P.H-123. This is a land donation. (C-05-0081)
- Marvin and Sondra Kemper, in the total amount of \$11,957.60, on Old Cheney Road between South 148th and South 190th Streets; Project No C55-Q-407(2). (2 contracts) (C-05-0082 and C-05-0083)

9) **EMERGENCY ITEMS AND OTHER BUSINESS:**

10) **ANNOUNCEMENTS:**

- A. The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, February 10, 2005. A staff meeting will be held on Tuesday, February 8, 2005 beginning at 11:30 a.m. in Room 113 on the first floor of the County-City Building.

10) **ANNOUNCEMENTS CONTINUED:**

- B. Public hearings will be held on Tuesday, February 15, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:
- 1) Establishing of a County Visitors' Improvement Fund pursuant to Neb. Rev. Stat. §81-1255 (Supp. 2003).
 - 2) County Change of Zone 04080, from AG Agricultural District to I Industrial District, requested by Capital Concrete Company, on property generally located at the northeast corner of Highway 2 and Highway 42 (South 162nd Street) in Lancaster County, Nebraska.
 - 3) An application for an amusement license from David Samani to hold an off-road vehicle (motocross) demonstration at 8800 Kolbrook Road in connection with the National Kawasaki Plant Regional Distributor Convention. The event will begin on Sunday, June 12, 2005 and run through Thursday, June 16, 2005. Hours of operation will be 9 a.m. to 6 p.m. each day.
- C. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

11) **PENDING:**

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Recessed on September 28, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.

11) **PENDING CONTINUED:**

- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.
- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska.

12) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov>) on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 8, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 1, 2005. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.)

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 360 additions and deductions to the tax assessment rolls per Exhibit A.

- 4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Church of Jesus Christ of Latter-Day Saints
St. Paul's Lutheran Church
Wyuka Cemetery

- 5) **ADJOURNMENT:**

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CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER
PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY
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